

PATENT  
USSN 09/750,990  
674509-2028AMENDMENT

Kindly amend the application, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows.

IN THE CLAIMS

Kindly add new claims 44 to 69, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

44. (Amended) A process for preparing a foodstuff suitable for consumption comprising an emulsifier, the process consisting essentially of the steps of  
(i) contacting a food material containing a fatty acid ester and a second constituent comprising a hydroxy group with an enzyme having esterase activity such that an emulsifier is generated by the enzyme from the fatty acid ester and a second functional ingredient is generated from the second constituent; and

(ii) inactivating or denaturing the enzyme to provide the foodstuff comprising the emulsifier, the fatty acid ester and the enzyme in an inactive form or a denatured form.

45. (Not Amended) The process according to claim 44 wherein the fatty acid ester comprises at least two ester groups.

46. (Not Amended) The process according to claim 44 wherein the fatty acid ester is a triglyceride.

47. (Amended) The process according to claim 44 wherein the enzyme having esterase activity has lipase activity, or the enzyme having esterase activity is a mixture of enzymes.

48. (Not Amended) The process according to claim 44 wherein the enzyme is isolated from a plant, an animal or a micro-organism.

49. (Not Amended) The process according to claim 48 wherein the micro-organism is selected from the group consisting of *Aspergillus niger*, *Rhizopus delemar*, *Rhizopus arrhizus*, *Mucor miehei*, *Pseudomonas sp.*, *Candida rugosa*, *Pencillium roqueforti*, *Pencillium cyclopium*, *Aspergillus tubingensis*, *Candida cylindracea*, *Thermomyces lanuginosus*, *Mucor javanicus*, *Candida antarctica*, *Chromobacterium viscosum*, *Pseudomonas fluorescens*, *Pseudomonas nitroreducans*, *Chromobacterium viscosum*, *Bacillus subtilis*, mutants and combinations thereof.

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50. (Amended) A process for preparing a foodstuff suitable for consumption comprising an emulsifier, the process consisting essentially of the steps of

(i) contacting a food material containing a fatty acid ester and a second constituent comprising a hydroxy group with an enzyme having esterase activity such that an emulsifier is generated by the enzyme from the fatty acid ester and a second functional ingredient is generated from the second constituent; and

(ii) inactivating or denaturing the enzyme to provide the foodstuff comprising the emulsifier, the fatty acid ester and the enzyme in an inactive form or a denatured form;

wherein the second constituent is a sugar.

51. (Not Amended) The process according to claim 44 wherein the second constituent is hydrophilic.

52. (Amended) The process according to claim 44 wherein the second constituent is selected from the group consisting of, polyvalent alcohols, ethanol, sugars, dextrans, sorbitol, mannitol, fruit acids and hydroxy acids, and mixtures thereof.

53. (Not Amended) The process according to claim 44 wherein the second constituent is glycerol.

54. (Amended) The process according to claim 50 wherein the sugar selected from the group consisting of sucrose, fructose, glucose, lactose, and galactose.

55. (Amended) A process for preparing a foodstuff suitable for consumption comprising an emulsifier, the process consisting essentially of the steps of

(i) contacting a food material containing a fatty acid ester and a second constituent with an enzyme having esterase activity such that an emulsifier is generated by the enzyme from the fatty acid ester and a second functional ingredient is generated from the second constituent; and

(ii) inactivating or denaturing the enzyme to provide the foodstuff comprising the emulsifier, the fatty acid ester and the enzyme in an inactive form or a denatured form;

wherein the second constituent is maltodextrin.

56. (Amended) A process for preparing a foodstuff suitable for consumption comprising an emulsifier, the process consisting essentially of the steps of

(i) contacting a food material containing a fatty acid ester and a second constituent comprising a hydroxy group with an enzyme having esterase activity such that an emulsifier is

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generated by the enzyme from the fatty acid ester and a second functional ingredient is generated from the second constituent; and

(ii) inactivating or denaturing the enzyme to provide the foodstuff comprising the emulsifier, the fatty acid ester and the enzyme in an inactive form or a denatured form;

wherein the second constituent is a hydroxy acid selected from the group consisting of citric acid, tartaric acid, lactic acid and ascorbic acid.

57. (Amended) A process for preparing a foodstuff suitable for consumption comprising an emulsifier, the process consisting essentially of the steps of

(i) contacting a food material containing a fatty acid ester and a second constituent comprising a hydroxy group with an enzyme having esterase activity such that an emulsifier is generated by the enzyme from the fatty acid ester and a second functional ingredient is generated from the second constituent; and

(ii) inactivating or denaturing the enzyme to provide the foodstuff comprising the emulsifier, the fatty acid ester and the enzyme in an inactive form or a denatured form;

wherein the second constituent is an alcohol.

58. (Amended) A process for preparing a foodstuff suitable for consumption comprising an emulsifier, the process consisting essentially of the steps of

(i) contacting a food material containing a fatty acid ester and a second constituent comprising a hydroxy group with an enzyme having esterase activity such that an emulsifier is generated by the enzyme from the fatty acid ester and a second functional ingredient is generated from the second constituent; and

(ii) inactivating or denaturing the enzyme to provide the foodstuff comprising the emulsifier, the fatty acid ester and the enzyme in an inactive form or a denatured form;

wherein the second constituent is ascorbic acid, or a protein hydrolysate.

59. (Amended) A process for preparing a foodstuff suitable for consumption comprising an emulsifier, the process consisting essentially of the steps of

(i) contacting a food material containing a fatty acid ester and a second constituent comprising a hydroxy group with an enzyme having esterase activity such that an emulsifier is generated by the enzyme from the fatty acid ester and a second functional ingredient is generated from the second constituent; and

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(ii) inactivating or denaturing the enzyme to provide the foodstuff comprising the emulsifier, the fatty acid ester and the enzyme in an inactive form or a denatured form;  
wherein the second constituent is selected from the group consisting of proteins, amino acids, peptides, and mixtures thereof.

60. (Amended) The process according to any one of claims 44, 50 or 54-59 wherein the foodstuff is selected from the group consisting of baked goods, confectionery, frozen products, dairy products, meat products, edible oils and fats, and fine foods.

61. (Not Amended) The process according to claim 60 wherein the foodstuff is a baked good selected from the group consisting of breads, cakes, muffins, doughnuts, biscuits, crackers and cookies.

62. (Not Amended) The process according to claim 60 wherein the foodstuff is a confectionery selected from the group consisting of candies, caramels, chocolate and puddings.

63. (Not Amended) The process according to claim 60 wherein the foodstuff is a frozen dairy product.

64. (Amended) The process according to claim 63 wherein the frozen dairy product is selected from the group consisting of ice cream and ice milk.

65. (Amended) The process according to claim 60 wherein the foodstuff is a dairy product selected from the group consisting of coffee cream, whipped cream, custard cream, milk drinks and yoghurts.

66. (Amended) The process according to claim 60 wherein the foodstuff is a processed meat product or a spread.

67. (Amended) The process according to claim 60 wherein the foodstuff is an edible oil or fat selected from the group consisting of water in oil emulsions, oil in water emulsions, margarine, and shortening.

68. (Amended) The process according to claim 60 wherein the foodstuff is a fine food selected from the group consisting of sauces and mayonnaise.

69. (Amended) A foodstuff obtained by a process as defined in claim 44, 50 or 54-59.